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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,394	08/28/2003	Douglas Mark Kennedy	10021161-1	6752

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
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Loveland, CO 80537-0599

EXAMINER

BECKER, SHASHI KAMALA

ART UNIT	PAPER NUMBER
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2179

MAIL DATE	DELIVERY MODE
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08/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/650,394	Applicant(s) KENNEDY, DOUGLAS MARK	
	Examiner Shashi K. Becker	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed on 5/25/07. This action is made **final**.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-10, 12-15, 17-24, and 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran, US 2004/0054688.

- In regards to claims 1, 15 and 31, Tran teaches a method and a system for tracking issues, comprising: providing a log-in page to log-in a user; receiving user information from the user in the log-in page (page 3 paragraph [0028]); providing one of a plurality of interface pages to process an issue (page 2 paragraphs [0026] and [0027]); wherein the interface page has a configuration corresponding to a predetermined access level of the user (page 3 paragraph [0033]); providing an issue record (page 2 paragraphs [0026] and [0027]). Tran further suggests providing an embedded uniform resource locator of the issue record (page 2 paragraphs [0026] and [0027]); therefore it would have been obvious to one of ordinary skill in the art at the time of the invention.
- In regards to claims 3 and 17, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein

providing one of a plurality of interface pages to process an issue, the processing comprises at least one of viewing the issue, submitting the issue, assigning the issue, resolving the issue, closing the issue, modifying the issue, providing metrics of the issue, and assigning user responsibility for the processing of the issue (page 3 paragraph [0032]).

- In regards to claims 4 and 18, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches wherein viewing the issue further comprises sorting the issue by at least one of average severity, a person who submitted the issue, submission date, issue identification number, by state of the issue, and by owner of the issue (page 3 paragraph [0028]).
- In regards to claims 5 and 19, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein providing one of a plurality of interface pages to process an issue, the processing corresponds to at least one of a plurality of projects (Figure 6C).
- In regards to claims 6 and 20, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further suggests wherein providing one of a plurality of interface pages comprises providing uniform resource locators for at least one of the plurality of interface pages (page 2 paragraphs [0026] and [0027]), therefore it would have been obvious to one of ordinary skill in the art.

- In regards to claims 7 and 21, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further suggests, wherein providing one of a plurality of interface pages comprises providing uniform resource locators for pages corresponding to selectable icons disposed in the one of a plurality of interface pages (page 2 paragraphs [0026] and [0027]), therefore it would have been obvious to one of ordinary skill in the art.
- In regards to claims 8 and 22, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein providing one of a plurality of interface pages comprises providing at least one of a tabulated display and a graphical display of metrics corresponding to the issue (Figure 6C).
- In regards to claims 9 and 23, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein the graphical display of metrics of the issue can be provided as a function of area corresponding to the issue, a version of the issue, a state of the issue, date of occurrence of the issue, method of resolution of the issue, calculated severity of the issue, project members, and project (page 3 paragraph [0028]).
- In regards to claims 10 and 24, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches further comprising providing a printer-friendly version of the interface page (page 3 paragraph [0032]).

- In regards to claims 12 and 26, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches a history of the processing of the issue (page 3 paragraph [0032]).
- In regards to claims 13 and 27, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further suggests comprising providing an email notification to predetermined users in response to processing the issue, wherein the email notification comprises an embedded uniform resource locator of the issue record (page 2 paragraphs [0026] and [0027]), therefore it would have been obvious to one of ordinary skill in the art.
- In regards to claims 14 and 28, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, further comprising postponing the processing of the issue, duplicating the issue record, forwarding the issue record, and deleting the issue record (page 3 paragraph [0032]).
- In regards to claim 29, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein the processor is configured with software in memory (page 2 paragraphs [0021] and [0023]).
- In regards to claim 30, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein the processor is configured with hardware (page 2 paragraphs [0021] and [0023]).
- In regards to claim 32, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein the means for

providing a log-in page, means for receiving user information, means for providing one of a plurality of interface pages to process an issue, means for providing an issue record, and means for providing an embedded uniform resource locator of the issue record is implemented with a processor configured with software (page 2 paragraph [0021] and [0023]).

- In regards to claim 33, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). Tran further teaches, wherein the means for providing a log-in page, means for receiving user information, means for providing one of a plurality of interface pages to process an issue, means for providing an issue record, and means for providing an embedded uniform resource locator of the issue record is implemented with a processor configured with hardware (page 2 paragraph [0021] and [0023]).

4. Claims 2, 11, 16, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran as applied to claims 1, 3-10, 12-15, 17-24, and 26-33 above, and further in view of Pulley.

- In regards to claims 2 and 16, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). However, Tran does not specifically teach further compromising, responsive to receiving the user information, providing a last requested page from a prior login by the user. Pulley teaches tracking website activity in real-time. Pulley further teaches further compromising, responsive to receiving the user information, providing a last requested page from a prior login by the user (page 5 paragraph [0065]). It would

have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Tran to include the teachings of Pulley in order to provide a last requested page from the user. One would have been motivated to make such a combination in order to track the history of the activity of the user (page 5 paragraph [0062]).

- In regards to claims 11 and 25, Tran teaches the previously stated limitations (see claims 1, 15, and 31 *supra*). However Tran does not specifically teach, further comprising calculating and displaying percentage of open issues, percentage of closed issues, percentage of resolved issues, totals, site usage, and average open severity.

Pulley teaches tracking website activity in real-time. Pulley further teaches further comprising calculating and displaying percentage of open issues, percentage of closed issues, percentage of resolved issues, totals, site usage, and average open severity (page 15 paragraph [0174]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Tran to include the teachings of Pulley in order to calculate totals and site usage. One would have been motivated to make such a combination in order to further track all components of issues and errors.

Response to Arguments

Applicants argue: That neither Tran nor Pulley teach or suggest providing an embedded URL of an issue record.

Examiner disagrees. Tran suggests providing an embedded URL of an issue record (page 2 paragraph [0026] and [0027]). Here, the user/customer submits an issue report, via email or other means, to the administrator (responsible entity) therefore, it is suggested that an embedded URL would be in the email. Tran further suggests an embedded URL when in paragraph [0026] when the tracking system sends the user/customer back an email notification in response to being processed, that this would be an embedded URL. Therefore, Tran meets the limitations of claims 1, 15, and 31 and its respective dependent claims.

Applicants argue: That there is no suggestion or motivation to combine Tran and Pulley.

Examiner disagrees. In response to applicant's argument that Tran and Pulley are nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both Tran and Pulley are tracking systems. One tracks website activity while the other tracks issue reports. For example, if a customer/user is having problems with website activity, then it would have been obvious for one to have issue reports for such problems. For one of ordinary skill in the art it would have been obvious to solve the pertinent problems of Tran with the teachings of Pulley. Therefore, it would have been obvious to combine such references.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shashi K. Becker whose telephone number is 571-272-8919. The examiner can normally be reached on Mon-Fri 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SKB

BA HUYNH
PRIMARY EXAMINER